

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLAY ROUECHE,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. C13-2165RSL

ORDER DIRECTING  
SERVICE AND ANSWER OF  
28 U.S.C. § 2255 MOTION

This matter comes before the Court on Petitioner's "Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence" (Dkt. # 1). After a preliminary review of the motion, the Court ORDERS as follows:

(1) The Clerk of Court shall arrange for service by first class mail of a copy of the Motion, each of its attachments, and this Order on the United States Attorney and shall note the date of such service on the docket. The Clerk shall also direct a copy of this Order to Petitioner.

(2) Within sixty (60) days after such service, the United States shall file and serve an Answer in accordance with Rule 5 of the Rules Governing Section 2255 Cases in United States District Courts. As part of its Answer, the United States shall state its position as to whether an evidentiary hearing is necessary, whether any discovery is necessary, whether there is any issue as to abuse or delay under Rule 9, and whether Petitioner's motion is barred by the statute of limitations.

1 (3) On the face of its Answer, the United States shall note this matter for the  
2 fourth Friday following the filing of its Answer, and the Clerk shall note the matter on  
3 the Court's docket accordingly. Petitioner may file and serve a Reply to the Answer no  
4 later than that noting date.

5 (4) All attorneys admitted to practice before this Court are required to file  
6 documents electronically via the Court's CM/ECF system. Counsel are directed to the  
7 Court's website, [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov), for a detailed description of the requirements  
8 for filing via CM/ECF. All non-attorneys, such as pro se parties and/or prisoners, may  
9 continue to file a paper original of any document for the Court's consideration. A party  
10 filing a paper original does not need to file a chambers copy. All filings, whether filed  
11 electronically or in traditional paper format, must indicate in the upper right hand corner  
12 the name of the Judge to whom the document is directed.

13 For any party filing electronically, when the total of all pages of a filing exceeds  
14 fifty (50) pages in length, a paper copy of the document (with tabs or other organizing  
15 aids as necessary) shall be delivered to the Clerk's Office for chambers. The chambers  
16 copy must be clearly marked with the words "Courtesy Copy of Electronic Filing for  
17 Chambers." Additionally, any document filed with the Court must be accompanied by  
18 proof that it has been served upon all parties that have entered a notice of appearance in  
19 the underlying matter.

20 DATED this 10th day of December, 2013.

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23 Robert S. Lasnik  
24 United States District Judge  
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